



CITY COUNCIL

AGENDA REQUEST

AGENDA OF:	06/19/07	AGENDA REQUEST NO:	V A
INITIATED BY:	SABINE SOMERS-KUENZEL, AICP	RESPONSIBLE DEPARTMENT:	PLANNING
PRESENTED BY:	SABINE SOMERS-KUENZEL, AICP	DEPARTMENT HEAD:	SABINE SOMERS-KUENZEL, AICP <i>AS</i>
		ADDITIONAL DEPARTMENT. HEAD (S):	N/A
SUBJECT / PROCEEDING:	TRACT 3 GENERAL PLAN AND DEVELOPMENT AGREEMENT PUBLIC HEARING/REVIEW AND DISCUSS		
EXHIBITS:	DRAFT GENERAL PLAN; DRAFT OPEN SPACE AND ENVIRONMENTAL FEATURES PLAN		
CLEARANCES		APPROVAL	
LEGAL:	NA	EXECUTIVE DIRECTOR:	JIM CALLAWAY <i>Jim Callaway</i>
PURCHASING:	NA	ASST. CITY MANAGER:	NA
BUDGET:	NA	CITY MANAGER:	ALLEN BOGARD <i>Allen Bogard</i>
BUDGET			
EXPENDITURE REQUIRED: \$		NA	
AMOUNT BUDGETED/REALLOCATION: \$		NA	
ADDITIONAL APPROPRIATION: \$		NA	
RECOMMENDED ACTION			
Hold public hearing; present status update, review and discuss.			
EXECUTIVE SUMMARY			

The Commission took action on May 24th, 2007 to recommend approval of the General Plan with conditions. At the meeting where the Council takes action (scheduled for June 26th), the following conditions should be attached to the approved General Plan:

- 1) All future development occurs pursuant to an approved Planned Development District (PD) final development plan (with the exception of the 25.7 acre retail tract at the corner of Voss and Highway 6). This General Plan does not constitute zoning and therefore does not determine land uses or development regulations. References to specific land uses, densities, and development regulations are for analysis of the General Plan and will be established through the PD ordinance. The pending zoning (PD) process should address the following:
 - A) Clarification regarding the buffer areas adjacent to the residential areas – minimum 100’ buffer area containing a landscaped area, height restrictions the same as those in the adjoining single family districts, and compatible land use restrictions
 - B) Setback restrictions south of the Mayfield Park expansion property line
 - C) Determination of whether residential uses would be permitted within the tracts shown as BUS fronting Highway 6, and clarification of appropriate distance separation from the Sugar Land Regional Airport for those residential units
 - D) Establishing minimum ratios of residential/non-residential development in areas that allow mixed uses

The Commission requested that the graphic map of the General Plan be amended to add clarification regarding the list above. The graphic has been changed to add inserts regarding the buffer areas

- 2) Access and utilities be provided to the northern wetlands/floodplain area through future development processes
- 3) Clarification in the total acreage in the legend of the remaining Imperial property into the boundary of the General Plan
- 4) Future changes to the drainage plans to incorporate the latest floodplain and floodway data and mitigation to meet City flood regulations
- 5) Expansion of the Ulrich right-of-way from 80’ to 105’ from 90A to the new Ulrich extension

The Commission’s recommendation was based on the finding of whether the proposal generally complies 1) with the City’s subdivision regulations relative to Land Plans, and 2) with the duly adopted Comprehensive Plan, including the Land Use Plan, Thoroughfare Plan, and all applicable master plans. An analysis of these regulations and plans follows in the attached staff report.

Over the past nine months, the staff has reviewed several iterations of the General Plan application, including the associated traffic and drainage studies as well as major utility concepts. The Traffic Impact analysis was recently concluded. The land use and drainage concepts, with some exceptions, have received general staff concurrence. The exceptions are incorporated as conditions into our recommendations.

When the General Plan is approved, it will be the map that we will compare future rezoning and subdivision requests (as we do with Telfair and Lake Pointe, for example). We will also compare pending development requests with the broad concepts as communicated by the developer as his intent to show compliance with the City’s Comprehensive Plan. These concepts are taken from the applicant’s “statement of intent”, which was originally submitted to support and provide specific zoning standards for a PD rezoning.

Table includes the concepts that are up for consideration with the General Plan.

Table 1 – Excerpts from applicant’s statement of intent applicable to the General Plan approval

- 1) The next step in development is through the Planned Development District (PD) zoning process
- 2) The Imperial Char house, a warehouse, and the water tower will be preserved and rehabilitated to set a historic theme to the mixed use commercial/residential area
- 3) The residential uses in the mixed use area will be of superior quality that is further detailed through the PD process
- 4) The perimeter of the mixed use area across from existing single family development contains a buffer with height, landscaping, and use details further determined through the PD process
- 5) The “TN” higher density single family areas will also be of superior quality that is further detailed through the PD process
- 6) The perimeter of the “TN” area across from existing single family development contains a buffer with height, landscaping, and use details further determined through the PD process
- 7) Oyster Creek will be enhanced to be an amenity for the development
- 8) Future interconnected trails that serve the development and connect to the City’s future trail system
- 9) Highway 6 frontage tracts that accommodate uses that promote balanced, sustainable development in the City, to include office, limited light industrial, and limited retail uses that support the City and its airport
- 10) The opportunity in the future to implement the City’s Thoroughfare Plan to extend University Blvd. north of 90A through the southern end of the property to the future east-west connector

At the City Council workshop meeting on the General Plan and associated Development Agreement, staff presented an outline of the terms currently being negotiated with Cherokee. Staff will present a status update on the negotiation process prior to opening of the public hearing; Council consideration and action is scheduled for the June 26th meeting.

File No. 7874

ANALYSIS:

LOCATION:

The property is bounded by State Highway 6, Voss Road, Burney Road, and US 90A to the South. All of the 651 acres have been within the City Limits since annexation in 2005. The current zoning of the property is a combination of Interim Single-Family Residential (R-1), General Industrial (M-2), and General Business (B-2).



I. STANDARD OF REVIEW – SUBDIVISION REGULATIONS:

Major thoroughfare and collector street patterns:

The proposed General Plan reflects compliance with the Thoroughfare Plan, which shows an east-west connector (arterial) extending from Burney Road through to Highway 6. It also shows the future University Boulevard connection from that road south to eventually connect with Highway 90A. The actual rail crossing has yet to be worked out, but the applicant has committed to purchasing the tract, and to continue with his efforts to address the issues that currently prevent the connection. The University Boulevard North Feasibility Study provided for additional detail of the location of those roadways, assumed that the connection to 90A would be a long term project, and provided additional detail regarding the design of the intersection at Burney Road to discourage south-bound movements. The General Plan shows compliance with the City's adopted policies regarding major roadways.

Land Use:

See Land Use Plan discussion, below.

Environmental issues:

Parkland

Section B. requires submittal to the Parks Director for a recommendation prior to that of the Commission. Based on preliminary calculations, the contemplated density of roughly 1650 dwelling units would result in approximately 15 acres of parkland dedication required.

The General Plan includes substantial future public and private parks and other open space amenities. The concept includes utilization of Oyster Creek as an open space amenity with trails connecting to the City's future trail system, a 39 acre wetland area that is proposed to remain undeveloped, and significant acreage devoted to open space for floodplain mitigation. In all, there are 253.6 acres shown as either greenspace or waterways.

The Parks Director has reviewed the General Plan and believes the layout is in compliance with the Parks, Recreation, and Open Space Master Plan. This opinion stems from the department's focus on a passive and possible active use park in the northern 78 wetland and acres, the opportunity to expand Mayfield Park, and the trail concept along Oyster Creek.

There are several details and concerns that will need to be addressed either through the pending development processes or through the Development Agreement. These include the following:

- 1) Street access to the northern wetland and floodplain area

- 2) Future utility (water and wastewater) availability to that area
- 3) Actual breakdown of acreage for public, private, and semi-public parkland

Drainage

The City Engineer's office has concurred with the general drainage study, which made assumptions regarding floodplain mitigate and detention. That office has given concurrence, with specific conditions that will need to be addressed in the future, such as a formal Letter of Map Revision process, additional hydraulic studies, and addressing the future Ditch H expansion.

Comprehensive Plan:

See next section (Standard of Review II- Comprehensive Plan)

Property's relationship to adjoining subdivisions or properties:

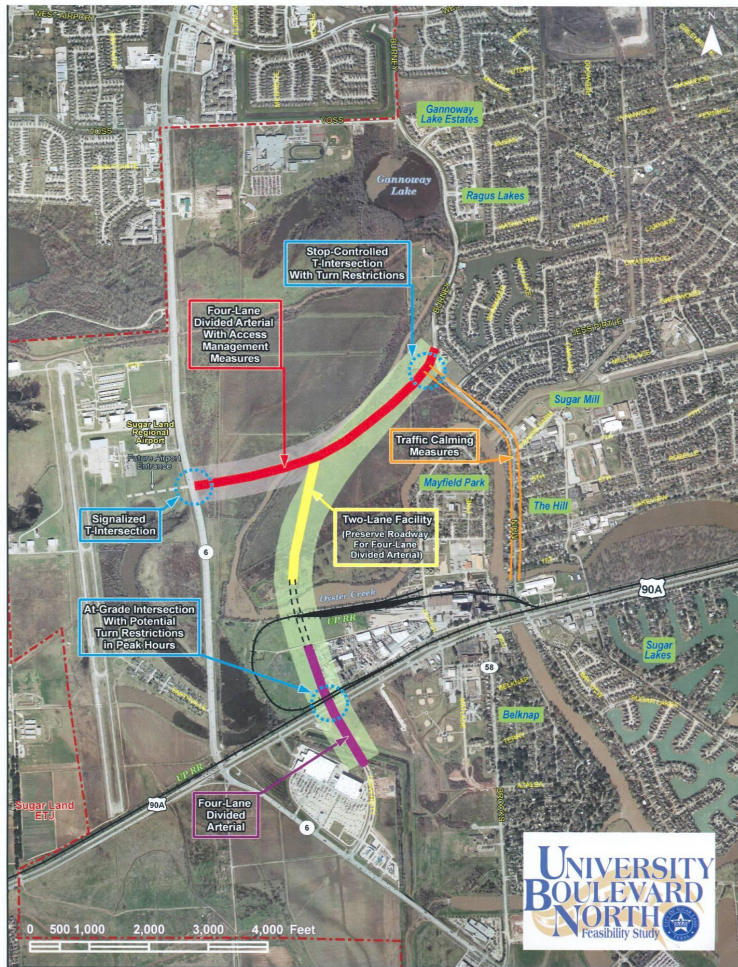
Residential protection

The property is located immediately across Highway from the Sugar Land Regional Airport and Cullinan Park. A TXDOT facility, Kempner High School, and City parkland abut the site to the north. There is single family development all along the property's east side, with established single family neighborhoods beyond Burney Road. Nalco abuts the property to the south. All of these properties will be impacted by the development of this property. A sound approach to transitions and buffering are therefore necessary. The development of the tracts under a PD zoning approach is the best way to assure public concerns are adequately addressed.

Traffic Impact Analysis

The focus of Staff's review of the Traffic Impact analysis was to compare the proposed layout of the roadways with the Thoroughfare Plan and with the University North Feasibility Study. As with other developments and in response to public input regarding traffic impacts, the goal is to allow the least amount of impact to existing neighborhoods, and to require developer mitigation of negative impacts that decrease service levels below those set by ordinance. The staff has worked with the applicant to address general impacts, and it appears that the concepts shown in the General Plan can be mitigated to acceptable levels with one exception regarding the right-of-way width of Ulrich from SH 90A to the future extension of Ulrich. The actual design of these mitigating roadway improvements will occur in phases as the subdivision sections are installed in the future, and more detailed studies and improvements will be finalized with subdivision plats in the future.

Recommended Transportation Improvements



II. STANDARD OF REVIEW - THE COMPREHENSIVE PLAN:

CHAPTER 5 (GOALS, OBJECTIVES, AND STRATEGIES)

The following goals from Chapter 5 of the Comprehensive Plan of the City of Sugar Land are used to evaluate General Plans:

Goal One / Safe and Beautiful City:

Preserve and enhance a beautiful city that is clean, safe, and aesthetically pleasing; a city that will foster pride and appeal to our citizens, corporate community, and visitors.

Goal Two / Economically Sustainable City:

Promote a vibrant, diversified economy that enhances the quality of services while maintaining a competitive tax rate.

Goal Nine / Parks, Recreation, Leisure, and Open Space:

Provide a park system that meets the total recreation and leisure needs of the community. Identify, protect, and preserve open spaces and critical natural areas.

Goal Eleven / Historic Preservation:

Preserve, protect, and enhance natural, historical, cultural, and architectural features.

Goal Thirteen / Planning for the Future:

Continue to refine and expand the vision of Sugar Land as a dynamic guide for the future.

The Goals of Chapter 5 of the Comprehensive Plan listed above provide the framework for decision-making. The Tract 3 General Plan appears to be in conformance with these goals.

CHAPTER 6 (DESIGN GUIDELINES AND LAND USE PLAN)

As discussed with the Commission at the workshop on April 10, 2007, the Tract 3 area was evaluated as a specific study area in Chapter 6 (Land Use Plan), and conformance to the Land Use Plan is a critical element of General Plan approval. The overall design of the proposed Tract 3 General Plan has been evaluated by staff as to Chapter 6 criteria. The following chart is provided to layout the key acreages and land uses proposed in the General Plan compared with the ratios

PROPOSED TRACT 3 GENERAL PLAN (April 2007)

Land Uses:	Approximate Acres:	Land Use Plan ratios:
Residential Single Family Detached- (LVI)	133 (37%)*	46% (Decrease of roughly 30%)
Residential -Traditional Neighborhood Development	104 (30%)*	18% (Increase of roughly 45%)
Commercial Retail	26.7 (6%)*	7%
Business / Office Park (labeled BUS and BUS/RES)	58 (15%)*	18% (Decrease of roughly 25%)
Mixed Use Res./ Retail (MU1, 2, & 3)	46 (12%)*	11%
OPEN SPACE AREAS-	Shown as	32% (Increase of roughly 25%)

Neighborhood Parks, Rec., Landscape Easements, Drainage, Lakes	253.6 (41%)	
Total Acreage: (approx.)	651.0 plus 70.4	721.4

* Adjusted for major road right-of-way and netting out open space

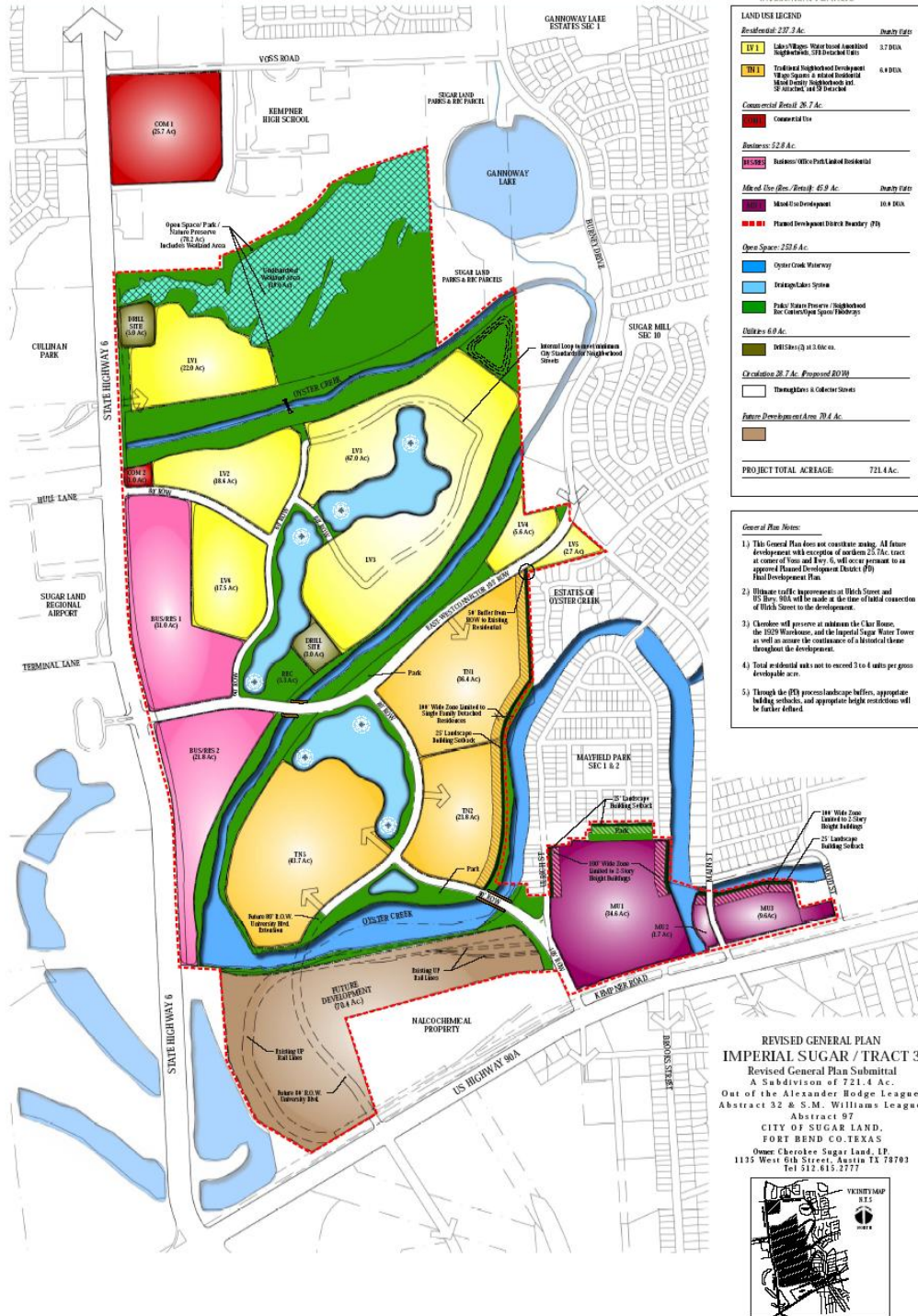
The above table shows that for the most part, the land uses shown on the General Plan are proportional to the Land Use Plan. There are more physical constraints on the property than were anticipated during the Land Use Plan adoption process.

The major difference between the Land Use Plan and the submitted General Plan is in the decrease of the single family and the relative increase in the “TN” higher density single family acreage. This change can be justified if the developer can demonstrate a superior product for the TN area through the pending PD process.

The business uses shown for the Highway 6 frontage tracts assume that none of the acreage will be used for residential uses. The applicant is showing a mix of residential and business uses for one of the two business tracts, limiting residential to the second story and above.

Draft General Plan

CHEROKEE
Investment Partners



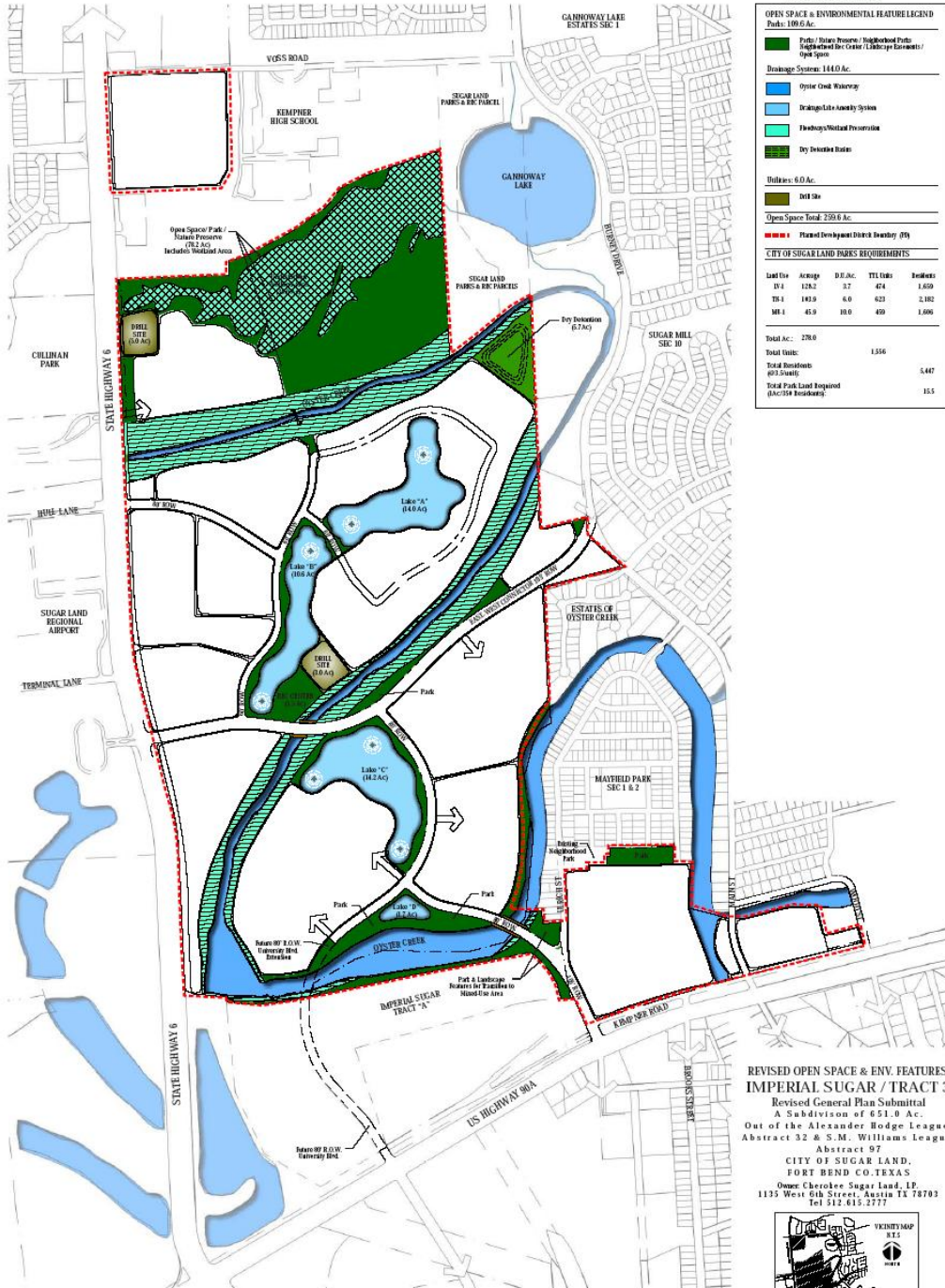
JUNE 11, 2007

The information shown is based on the best information available and has not been given final approval by city or county authorities. This information is subject to change without notice.



Draft Open Space and Environmental Features Plan

CHEROKEE
Investment Partners



OPEN SPACE & ENVIRONMENTAL FEATURE LEGEND
Parks: 199.6 Ac.

Drainage System: 144.0 Ac.

- Open Creek Waterway
- Drainage-Left-Handy System
- Drainage-Right-Handy System
- Dry Detention Basin

Utilities: 6.0 Ac.

- Water Line

Open Space Total: 239.6 Ac.

CITY OF SUGAR LAND PARKS REQUIREMENTS

Land Use	Acres	P.E. Ac.	TTL. Acres	Acres/acre
DR 1	128.2	3.7	474	1,659
DR 2	145.9	6.0	625	2,182
MR 1	45.9	10.0	400	1,000

Total Ac.: 279.0

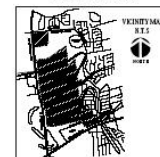
Total Parks: 1,556

Total Recreation: 5,447

Total Park Land Required: 15.5

**REVISED OPEN SPACE & ENV. FEATURES
IMPERIAL SUGAR / TRACT 3**
Revised General Plan Submittal
A Subdivision of 651.0 Ac.
Out of the Alexander Hodge League,
Abstract 32 & S.M. Williams League.

**CITY OF SUGAR LAND,
FORT BEND CO. TEXAS**
Owner: Cherokee Sugar Land, LP
1135 West 6th Street, Austin TX 78703
Tel 512 615 2777



APRIL 16, 2007

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